

**In The United States Court of Federal Claims**

No. 06-402T

(Filed: January 29, 2009)

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ALAN SCOTT FITZ AND  
PAULINE ANN FITZ,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

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**ORDER**

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On January 8, 2009, the Federal Circuit issued a decision in *Keener v. United States*, Fed. Cl. No. 03-2028T, and *Smith v. United States*, Fed. Cl. No. 04-907T. The court hereby orders that the parties file a joint status report within fourteen days of the issuance of a final appellate decision in the aforementioned consolidated cases, indicating how they will proceed in this case.

**IT IS SO ORDERED.**

s/ Francis M. Allegra

Francis M. Allegra

Judge